

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-39 are presently active in this case. Claims 31, 33-35, and 37-39 have been amended. Since all elements of the amended claims were earlier claimed or inherent in the claims as examined, no new issues are presented; thus, it is respectfully requested that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. The response will present Applicant's position in better form for appeal. No new matter has been added.

The Final Office Action rejects Claims 31-39 under 35 U.S.C. § 102(e) as anticipated by Iida (U.S. Patent No. 5,900,608, herein "Iida"); rejects Claims 1, 3-7, 9, 11-16, 18-22, and 24-30 under 35 U.S.C. § 103(a) as unpatentable over Iida in view of Keller, et al. (U.S. Patent No. 6,172,948, herein "Keller"); and rejects Claims 2, 8, 10, 17, and 23 under 35 U.S.C. § 103(a) as unpatentable over Iida in view of Keller, and further in view of Saeki, et al. (U.S. Patent No. 6,597,862, herein "Saeki").

Rejection of Claims 31-39 under 35 U.S.C. § 102(e)

Claims 31-39 stand rejected under 35 U.S.C. § 102(e) based on Iida. Applicant respectfully traverses the rejection for the following reasons.

To establish anticipation of Claim 31 under 35 U.S.C. § 102(e), the Final Office Action must show that each and every feature recited in Claim 31 is either explicitly disclosed or necessarily present in Iida.¹

The Final Office Action asserts that Iida discloses all of the Applicant's claim limitations.

¹ See M.P.E.P. § 2131.

Amended Claim 31 recites an information processing device connected to other information processing devices via a network, the information processing device including, *inter alia*, second obtaining means for obtaining label printing conditions through a GUI regarding which the display thereof is controlled by display control means, the label printing conditions including information on whether or not to print on the label a title piece number, an artist name, and playing time, and requesting means for requesting printing of a label, to the other information processing devices via said network, under said label printing conditions obtained by said second obtaining means.

Iida does not disclose or suggest at least second obtaining means for obtaining label printing conditions through a GUI, wherein the label printing conditions include information on whether or not to print on a label a title piece number, an artist name, and playing time, as recited in Claim 31, as amended. The Final Office Action cites col. 13, lines 45-50 and col. 10, lines 44-59; however, the above-mentioned subject matter of amended Claim 31 is not disclosed there. Col. 13, lines 45-50 of Iida describes the procedure for entering the album title. Col. 10, lines 44-59 of Iida describes the procedure for selecting music pieces and does not disclose information on whether or not to print on a label a title piece number, an artist name, and playing time.

In Iida, the customer selects the jacket design and enters the album title.² Then, “the attribute of each music is selected from the musical composition list database 23 and the index database 25, and then that information is printed on the predetermined locations of the jacket.”³ Nowhere does Iida disclose or suggest, at least, obtaining label printing conditions,

² Col. 13, lines 45-50.

³ Col. 14, lines 53-59.

wherein the label printing conditions include information on whether or not to print on a label a title piece number, an artist name, and playing time, as recited in Claim 31, as amended.

Moreover, Iida does not disclose or suggest requesting printing of a label under the label printing conditions, wherein the label printing conditions include information on whether or not to print on a label a title piece number, an artist name, and playing time, as recited in Claim 31, as amended. The Final Office Action cites col. 14, lines 49-53 of Iida, however, the above-referenced step of requesting printing of a label under the label printing conditions, wherein the label printing conditions include information on whether or not to print on a label a title piece number, an artist name, and playing time is not disclosed there. Col. 14, lines 49-53 discloses that the jacket production work is implemented based on "MUSIC CODE GROUP A," "JACKET DESIGN CODE B" AND ALBUM TITLE CHARACTER DATA C." Nowhere does Iida disclose or suggest requesting printing of a label under the label printing conditions, wherein the label printing conditions include information on whether or not to print on a label a title piece number, an artist name, and playing time, as recited in Claim 31, as amended.

Accordingly, Applicant respectfully requests withdrawal of the § 102 rejection of Claim 31. Independent Claims 33-35 and 37-39, although of different statutory class and/or of different scope, include recitations similar to those discussed above with respect to Claim 31. Similarly, Claims 32 and 36 depend from Claims 31 or 35. Accordingly, Applicant respectfully requests that the rejection of Claims 32-39 under 35 U.S.C. § 102(e) be withdrawn.

Rejection of Claims 1, 3-7, 9, 11-16, 18-22, and 24-30 under 35 U.S.C. § 103(a)

Claims 1, 3-7, 9, 11-16, 18-22, and 24-30 stand rejected under 35 U.S.C. § 103(a) based on Iida in view of Keller. Applicant respectfully traverses the rejection.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be demonstrated. First, Lida in view of Keller, in combination, must teach or suggest each and every element recited in the claims.⁴ Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention.⁵ Third, a reasonable probability of success must exist with respect to the proposed combination relied upon in the rejection.⁶

Claim 1 recites an information processing device connected to other information processing devices via a network, said information processing device comprising, *inter alia*, obtaining means for obtaining capacity information relating to the capacity of the information notified by notifying means from a database provided in the other information processing devices via the network.

The Final Office Action points out that “Lida does not explicitly indicate an obtaining means for obtaining capacity information relating to the capacity of said information notified by said notifying means from said other information processing devices via said network.”⁷ The Final Office Action asserts that “Keller teaches an obtaining means for obtaining capacity information relating to the capacity of said information notified by said notifying means from said other information processing devices via said network.”⁸

However, Keller does not teach or suggest an information processing device comprising obtaining means for obtaining capacity information relating to the capacity of information notified by notifying means from a database provided in other information processing devices via a network, as recited in Claim 1. As discussed above, the Final Office

⁴ See MPEP § 2143.

⁵ See *id.*

⁶ See *id.*

⁷ Office Action, page 5.

⁸ Citing col. 12, lines 64-67 and col. 15, lines 52-57 of Keller.

Action cites col. 12, lines 64-67, col. 15, lines 52-57 of Keller; however, the above-referenced obtaining means of Claim 1 is not taught or suggested there. Col. 12, lines 64-67 of Keller states that “the central processing unit 94 can cause the digital data to be saved in the data storage structure 106 as one or more digital files . . .” and does not teach or suggest obtaining capacity information from a database provided in other information processing devices via a network. Col. 15, lines 52-57 of Keller only teaches a display device. Nowhere does Keller teach or suggest obtaining means for obtaining capacity information relating to the capacity of information notified by notifying means from a database provided in other information processing devices via a network, as recited in Claim 1.

Accordingly, Applicant respectfully requests that the rejection of Claim 1 under 35 U.S.C. § 103(a) be withdrawn. Independent Claims 5, 6, 15, 16, 20, 21, and 30, although of different statutory class and/or of different scope, include recitations similar to those in Claim 1 discussed above. Similarly, Claims 3, 4, 18, and 19 depend from Claims 1 or 16. Accordingly, Applicant respectfully requests that the rejection of Claims 3-6, 15, 16, 18-21, and 30 under 35 U.S.C. § 103(a) be withdrawn as well.

Claim 7, recites an information processing device connected to other information processing devices via a network comprising, *inter alia*, second obtaining means for obtaining capacity information relating to the capacity of provided information corresponding to specifying information obtained by first obtaining means from a database and notifying means for notifying said other information processing devices via said network of said capacity information obtained by said second obtaining means.

The Final Office Action asserts that Keller teaches or discloses “second obtaining means for obtaining capacity information relating to the capacity of provided information

corresponding to specifying information obtained by first obtaining means from a database⁹ and notifying means for notifying said other information processing devices via said network of said capacity information obtained by said second obtaining means.¹⁰” However, col. 12, lines 64-67 of Keller states that “the central processing unit 94 can cause the digital data to be saved in the data storage structure 106 as one or more digital files . . .” and does not teach or suggest obtaining capacity information from a database. Col. 15, lines 52-57 of Keller only teaches a display device, and col. 6, lines 1-6 of Keller simply discloses the screen display. Nowhere does Keller teach or suggest second obtaining means for obtaining capacity information relating to the capacity of provided information corresponding to specifying information obtained by first obtaining means from a database and notifying means for notifying said other information processing devices via said network of said capacity information obtained by said second obtaining means, as recited in Claim 7.

Iida does not cure the deficiencies of Keller in this regard. For example, even assuming Iida could properly be combined with Keller, which Applicant disputes, Iida does not teach or suggest, at least, second obtaining means for obtaining capacity information relating to the capacity of provided information corresponding to specifying information obtained by first obtaining means from a database and notifying means for notifying said other information processing devices via said network of said capacity information obtained by said second obtaining means, as recited in Claim 7.

Accordingly, Applicant respectfully requests that the rejection of Claim 7 under 35 U.S.C. § 103(a) be withdrawn. Independent Claims 13, 14, 22, 28, and 29, although of different statutory class and/or of different scope, include recitations similar to those in Claim 7 discussed above. Similarly, Claims 9, 11, 12, and 24-27 depend from Claims 7 or 22.

⁹ Citing col. 12, lines 64-67 and col. 15, lines 52-57 of Keller.

¹⁰ Citing col. 15, lines 52-57 and col. 16, lines 1-5 of Keller.

Accordingly, Applicant respectfully requests that the rejection of Claims 9, 11-14, 22, and 24-29 under 35 U.S.C. § 103(a) be withdrawn.

Rejection of Claims 2, 8, 10, 17, and 23 under 35 U.S.C. § 103(a)

Claims 2, 8, 10, 17, and 23 stand rejected under 35 U.S.C. § 103(a) based on Iida in view of Keller, and further in view of Saeki. Applicant respectfully traverses the rejection for the following reasons.

Claims 2 and 17 depend on Claims 1 or 16. As discussed above, Claims 1 and 16 are patentable over Iida in view of Keller. Saeki does not cure the deficiencies of Iida and Keller. For example, even assuming Iida and Keller could be combined with Saeki, which Applicant disputes, Saeki does not teach or suggest at least obtaining means for obtaining capacity information relating to the capacity of information notified by notifying means from a database provided in other information processing devices via a network, as recited in Claim 1 and as similarly recited in Claim 16. Therefore, Claims 2 and 17 are allowable at least for the reasons provided above with respect to Claims 1 and 16 and also by virtue of their dependency on Claims 1 or 16. Accordingly, Applicant respectfully requests that the rejection of Claims 2 and 17 under 35 U.S.C. § 103(a) be withdrawn and the claims be allowed.

Claims 8, 10, and 23 depend on Claims 7 or 22. As discussed above, Claims 7 and 22 are patentable over Iida in view of Keller. Saeki does not cure the deficiencies of Iida and Keller. For example, even assuming Iida and Keller could be combined with Saeki, which Applicant disputes, Saeki does not teach or suggest at least second obtaining means for obtaining capacity information relating to the capacity of provided information corresponding to specifying information obtained by first obtaining means from a database and notifying means for notifying said other information processing devices via said network of said

capacity information obtained by said second obtaining means, as recited in Claim 7 and as similarly recited in Claim 22. Therefore, Claims 8, 10, and 23 are allowable at least for the reasons provided above with respect to Claims 7 and 22 and also by virtue of their dependency on Claims 7 and 22. Accordingly, Applicant respectfully requests that the rejection of Claims 8, 10, and 23 under 35 U.S.C. § 103(a) be withdrawn and the claims be allowed.

Accordingly, in view of the foregoing amendments and remarks, it is respectfully submitted that the present application, including Claims 1-39, is patentably distinguished over the prior art, is in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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